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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 JOHN E BETTYS,

11 Plaintiff,

12 v.

13 KEVIN QUIGLEY, et al.,

14 Defendants.

CASE NO. 3:16-CV-05076-RJB-JRC

ORDER ADOPTING REPORT AND
RECOMMENDATION

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16 The Court, having reviewed the Report and Recommendation of Magistrate Judge J.
17 Richard Creatura (Dkt. 136), to which Plaintiff has not objected, and the remaining record¹, does
18 hereby find and **ORDER:**

19 (1) The Court adopts the Report and Recommendation (Dkt. 136).

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23 ¹ The Court has also considered the recently-issued Ninth Circuit opinion, *King v. Cty. of*
24 *Los Angeles*, No. 14-55320, 2018 WL 1247002, at *7 (9th Cir. Marc. 12, 2018), which is
factually distinguishable from this case.

1 (2) Defendants' motion for summary judgment (Dkt. 117) is **granted**; plaintiff's
2 claims are **dismissed without prejudice**. Dkt. 82.

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4 **DATED** this 13th day of March, 2018.

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7 ROBERT J. BRYAN
8 United States District Judge
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